

The ACLU of Northern California

2015 Annual Report



FREEDOM, JUSTICE,
EQUAL OPPORTUNITY

FOR ALL



ACLU OF NORTHERN CALIFORNIA 2015 ANNUAL REPORT

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Dear friends,

2015 was a remarkable year for the ACLU. Some of our longest fights for justice culminated in resounding victories: winning the freedom to marry across the nation in *Obergefell v. Hodges*; passing the nation's strongest digital privacy protections here in California; and securing first-in-the-nation protections against racial profiling here in our state.

Each of these wins was built on decades of work. Year after year, your support has allowed us to see justice through. Today, thanks in part to the ACLU's advocacy, California leads the nation in passing laws to protect our most cherished rights and freedoms.

At the same time, key civil rights—from abortion access to voting rights—face serious threats in many states.

As we envision the next generation of social justice, the nation will look to California for leadership on the most pressing issues of our time. From rural communities to the halls of power in Sacramento, the ACLU-NC's lawyers, organizers, advocates, and coalition partners fight to provide bold examples of justice in action that move California—and the nation—forward.

I hope you'll join me in celebrating last year's historic successes. We have a lot to be proud of, and even more to look forward to.

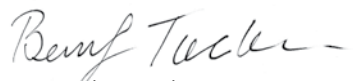
Thank you for keeping California at the forefront.

In solidarity,



Abdi Soltani

Executive Director



Beverly Tucker

Board Chair



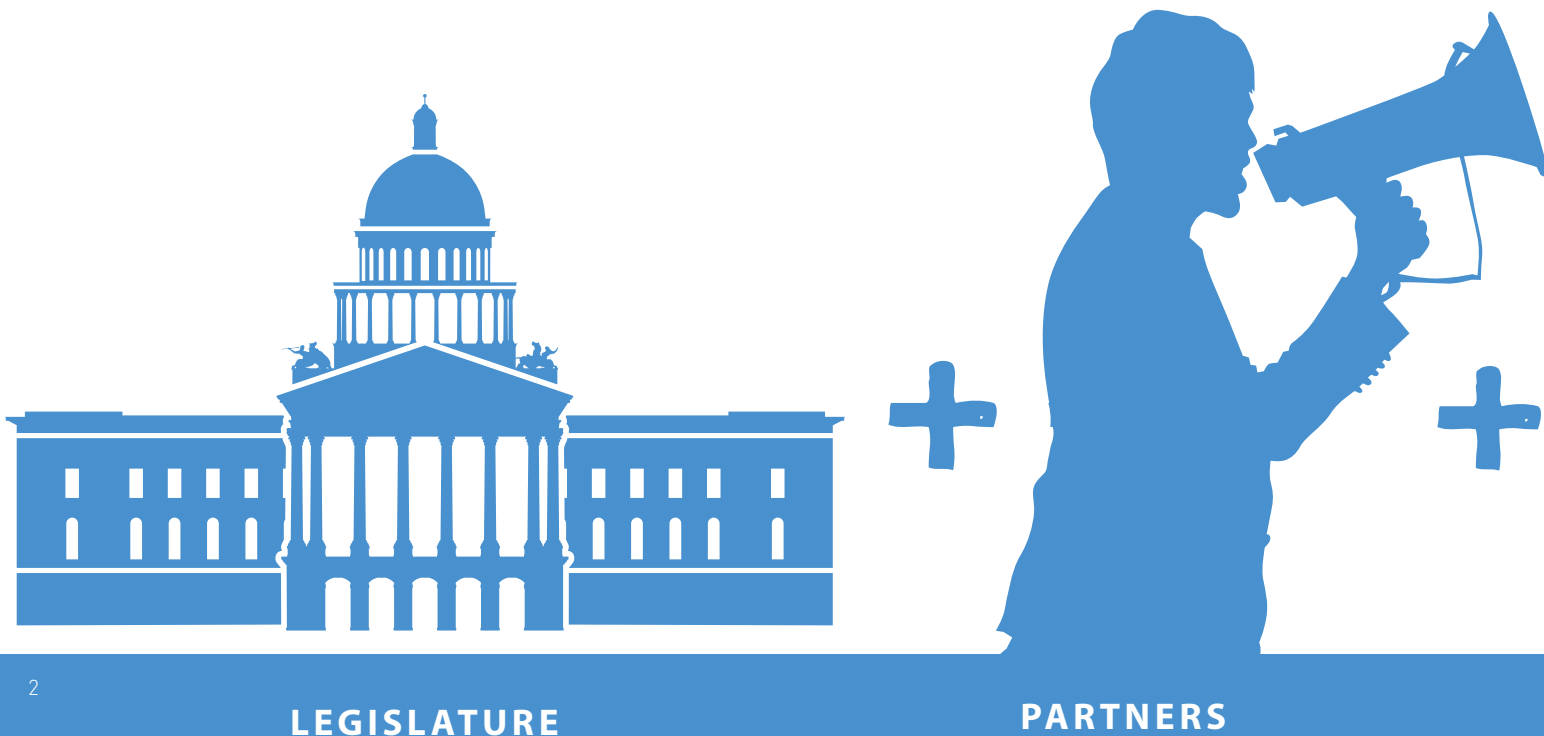
CENTER FOR ADVOCACY &

The ACLU has long had a presence in our state Capitol. For decades, our team of lobbyists and policy advocates has been able to respond swiftly and effectively to the state legislature's agenda in order to protect civil liberties.

After two years of planning, we more than doubled our staff presence in Sacramento and launched the newly expanded Center for Advocacy and Policy (CAP). 2015 was CAP's first full year, and the results are remarkable. Last year alone we were able to sponsor and pass truly transformative bills to make California the national leader in digital privacy rights (CalECPA), sex education (AB 329), and accountability for racial profiling by law enforcement (AB 953).

For decades, we responded to the legislature's agenda. Now, we're proactively setting a civil liberties agenda.

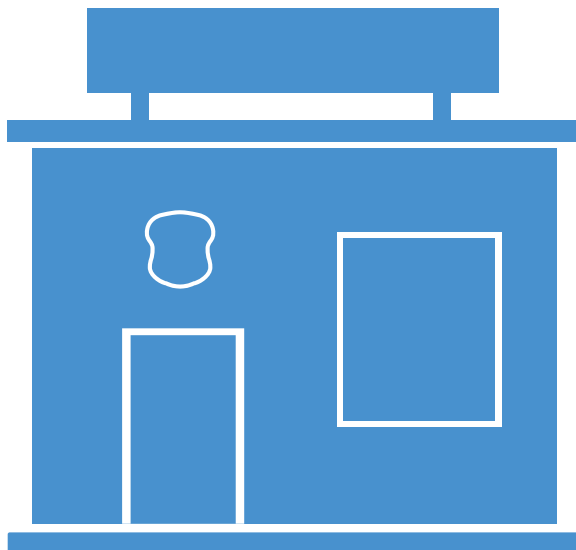
These are huge wins after our first year of expanding CAP, and we're just getting started. We're working to grow the ACLU's Center for Advocacy and Policy into a resource for all of California's civil rights organizations. By working with allies across the state, we will be able to amplify the voices of impacted communities and to continue shifting the political landscape in our state. Together, we will set the tone for national conversations on freedom, equity, and inclusion.



POLICY

"The legislative process is often slow and arduous. It is not a 'revolutionary' way to change things, but if you stay the course, it can be very rewarding."

***–Francisco Lobaco,
Legislative Director
from 1994 to 2016***



STATE AGENCIES



MEDIA

CENTRAL VALLEY & INLA

Our work doesn't stop with legislative victories in Sacramento—we see justice through. Last year, we continued to invest in our Central Valley office to drive statewide change. Our advocates and community partners helped to ensure that statewide policy wins reached some of the most economically disadvantaged and geographically remote parts of our state.

Through this work, we learned that there is an urgent need to protect the Sixth Amendment rights of Fresno County residents who have been charged with a crime but are unable to afford an attorney. The right to counsel was established over 50 years ago in the landmark ACLU case *Gideon v. Wainwright*, but Fresno County is failing to deliver on that promise.

Fresno County's public defense system is woefully underfunded. Public defenders are forced to take on four times the maximum number of cases permitted by federal legal guidelines. Even working nonstop, no attorney can provide effective counsel for so many cases.

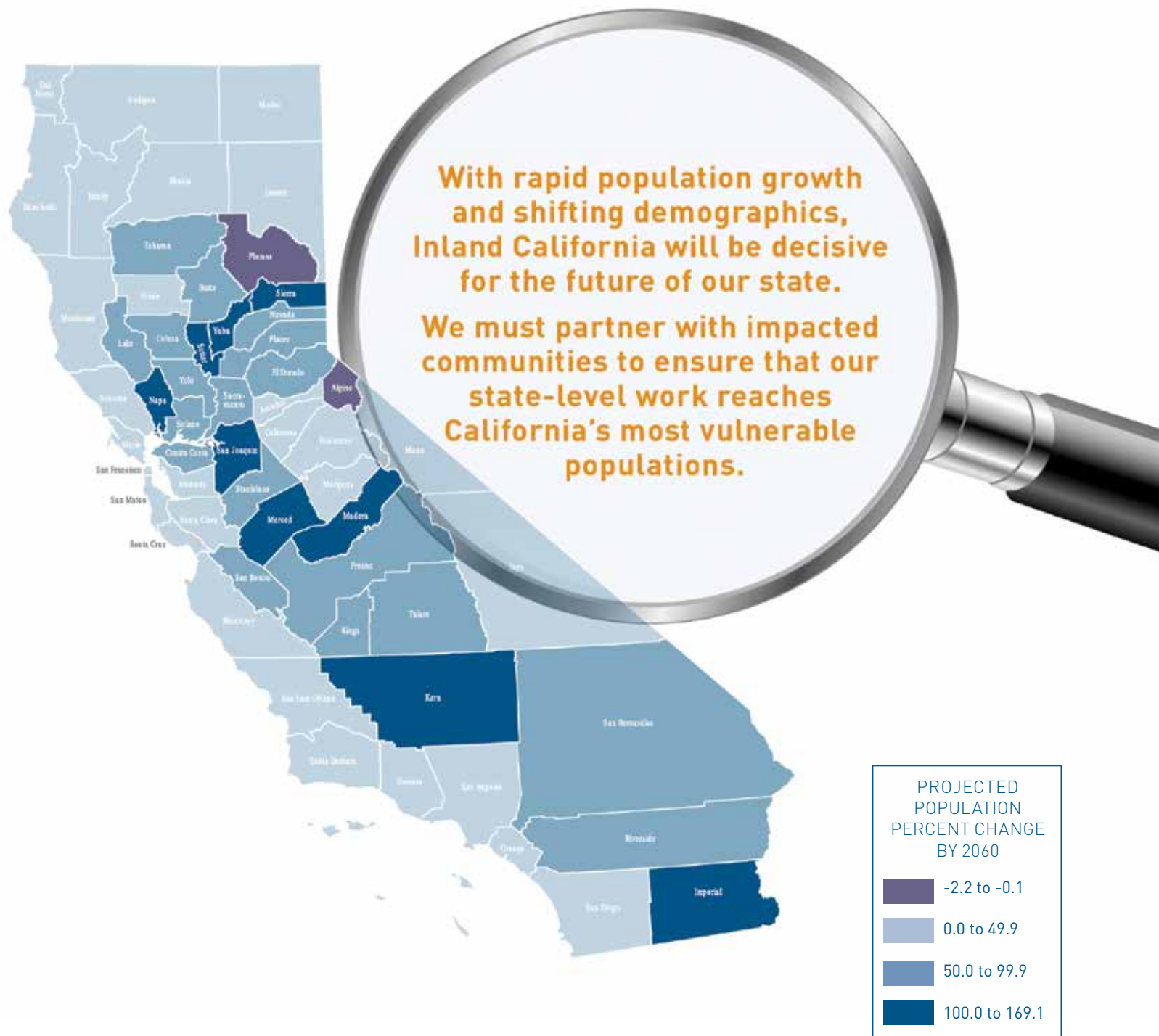
We filed a lawsuit against Fresno County and the State of California to ensure that the County creates and maintains a strong, well-resourced public defense system that assures every defendant their constitutional right to a fair trial.



Farmworkers in the Central Valley

PHOTO BY GIGI PANDIAN

ND CALIFORNIA



CRIMINAL JUSTICE REFORM

The fight for criminal justice reform has reached critical mass. Left, right, and center, voices across the political spectrum are calling for an end to the era of mass incarceration. This is a nationwide priority for the ACLU, with issues like bail reform, prosecutorial accountability, and de-incarceration taking center stage. Our state has the nation's second-largest prison population, but—after decades of advocacy by ACLU-NC and ally organizations—**California now has the fastest de-incarceration rate of any state.**

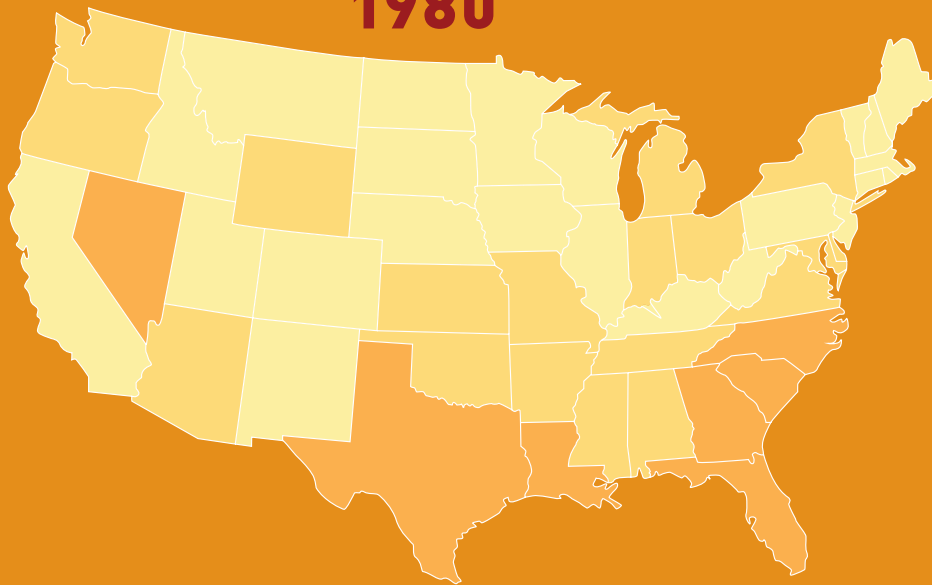
The passage of Prop 47 (which reduced sentences for minor drug offenses) in 2014 marked a crucial turning point in moving beyond California's "tough on crime" legacy. Throughout 2015, we successfully defended Prop 47 from attacks by prosecutors, who tried repeatedly to narrow the scope of the law.

As we fight to protect hard-won reforms like Prop 47, we must demand accountability throughout the criminal justice system. Last year, the corruption and abuse of power in the Orange County District Attorney's office dominated headlines. This shocking scandal highlights the need for transparency and accountability in the exercise of prosecutorial power. Your support allowed us to launch a long-term Prosecutorial Accountability Project. Together, we'll bring California to the forefront on progressive criminal justice reform.

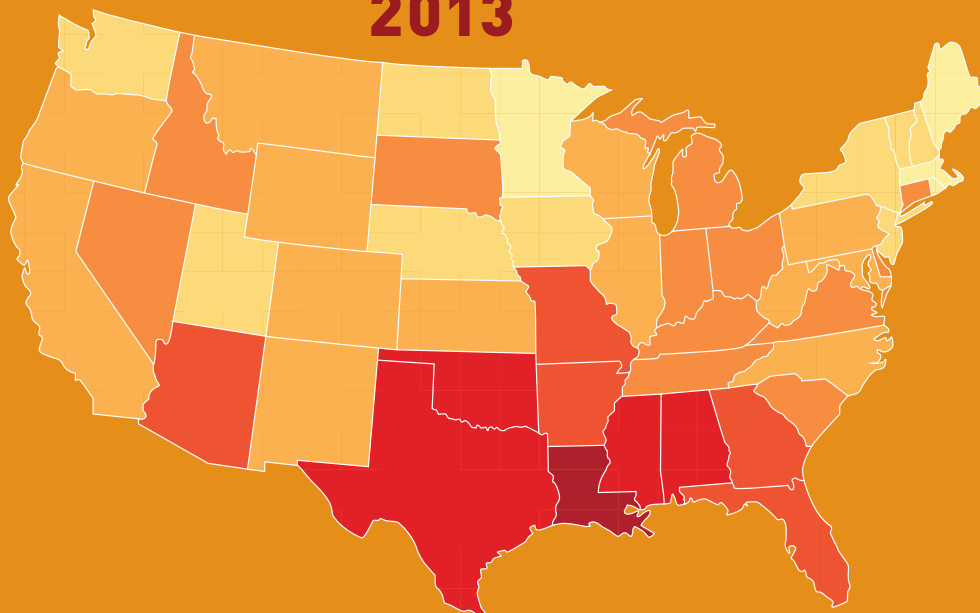
The ACLU created a statewide pro-bono attorney network to help thousands of incarcerated Californians clear their records or win reduced sentences under Prop 47.

STATE BY STATE INCARCERATION RATES

1980



2013



Incarceration rates per 100,000

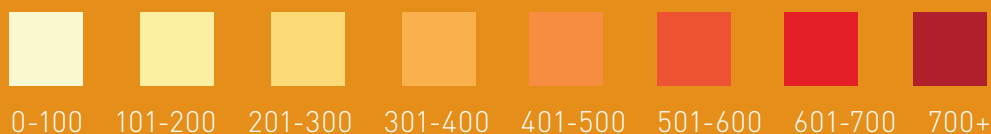




PHOTO BY EMORY JONES

ECONOMIC JUSTICE

Economic inequality is one of the defining issues of our time.

In Flint, Michigan, poor people of color were poisoned with contaminated water. In Lafourche, Louisiana, poverty determines whether you will end up in prison for being unable to pay exorbitant court fines and fees. Closer to home, in Fresno, California, poverty determines whether your constitutionally protected right to counsel—the right to be represented by an attorney during your trial—is fulfilled or ignored. Wealth should never be a prerequisite for access to justice.

That's why we have been fighting all over California to ensure that fair treatment in the legal system is guaranteed to all, regardless of income. Last year, we challenged unfair practices in several California counties where residents were deprived of the right to contest a traffic citation—unless the fines and fees for the citation were paid in full first. These “bail for trial” practices violate constitutional guarantees of due process and unfairly impact low-income people, so we brought this issue to the attention of the California Supreme Court. Last summer, the California Judicial Council voted unanimously to ban this practice, bringing our state one step closer to guaranteeing equal justice for all.

“There was no way I could come up with \$100 for justice.”

—Activist Daniel Lawrence, who was cited for being homeless, then required to pay an up-front fee to challenge the citation

IMMIGRANTS' RIGHTS

Anti-immigrant rhetoric has reached fever pitch on the national stage. The constitutional and human rights of immigrants and religious minorities are overshadowed by talk of a national registry for Muslim-Americans and a militarized wall at the southern border. California offers a different vision. The ACLU, along with coalition partners across the state, has worked for decades to ensure that the rights and liberties guaranteed by our Constitution apply to all people, regardless of immigration status. Today, California offers some of the nation's strongest protections for immigrant communities.

One of our most exciting wins was the passage of AB 60, which restored the right to apply for a California driver's license regardless of immigration status—a right rescinded by then-Gov. Pete Wilson in 1993. Throughout 2015, we led a coalition to implement this new law by providing training, resources, and support for potential applicants across the state. With this vibrant network of communities, the implementation of AB 60 has been an incredible success—California issued nearly 700,000 AB 60 licenses since the law went into effect last year.

From statewide organizing to groundbreaking litigation, we will continue pushing California to embody a fearless commitment to inclusion that reminds the American people what is possible.

The Safe & Responsible Driver's Act (AB 60) became law in 2015. California has issued nearly 700,000 AB 60 licenses since the law went into effect.



DRIVE CALIFORNIA FORWARD

CALIFORNIA WHAT YOU CAN DO WITH A DRIVERS LICENSE



"I never imagined I would feel peace and tranquility while driving."

CALIFORNIA WHAT YOU CAN DO WITH A DRIVERS LICENSE




"It is more worrisome and scary to drive without a license than to show up at the DMV to obtain one."

CALIFORNIA WHAT YOU CAN DO WITH A DRIVERS LICENSE




"Now I can take my kids to see the rest of California without excuses or fear. I'm very excited for my first big road trip."

CALIFORNIA WHAT YOU CAN DO WITH A DRIVERS LICENSE




"I feel that I am part of this society. This has been a relief in my life."

CALIFORNIA WHAT YOU CAN DO WITH A DRIVERS LICENSE




"When I got my driver's license, it made me feel very independent."

CALIFORNIA WHAT YOU CAN DO WITH A DRIVERS LICENSE



"Now that my car can't be taken away, I am saving to buy a better car."

CALIFORNIA WHAT YOU CAN DO WITH A DRIVERS LICENSE



"As I studied for the exam, I realized there were rules I did not know and I feel like I am a better driver now."

CALIFORNIA WHAT YOU CAN DO WITH A DRIVERS LICENSE



"It has been good for me because I now have an official ID from the State of California, which makes any paperwork much easier."



***“I want to thank
on my case,
important***

–Jim Obergefell,

LGBTQ RIGHTS

Last year, our decades-long fight for marriage equality culminated in a resounding victory. The movement for LGBTQ rights took an inspiring leap forward when the Supreme Court ruled in *Obergefell v. Hodges* that same-sex couples have the freedom to marry across the country. This momentous win was built over decades—in 1970, the ACLU represented Minnesota couple Jack Baker and Michael McConnell in *Baker v. Nelson*, the very first lawsuit seeking the freedom to marry for same-sex couples. In 2015, we represented Jim Obergefell and his partner John in the case that now stands as the law of the land. **The ACLU fought for marriage equality for nearly half a century—and we won.**

Here in California, the ACLU helped to push our state to the very forefront of the LGBTQ rights movement. From the nondiscrimination laws protecting LGBTQ individuals in the workplace, to fighting Prop 8, to our first-in-the-nation law to support the rights of transgender youth in public schools (AB 1266), California has the strongest protections for the LGBTQ community in the nation. Today, ACLU organizers and activists are working across the state to ensure that these groundbreaking legal protections reach all Californians, even in the most economically disadvantaged parts of our state.

the ACLU for your fantastic work, not just but on so many other cases that are vitally for our country to live up to its ideals.”

after the ruling in Obergefell v. Hodges

RACIAL PROFILING

Hardly a day goes by without another story of a young person of color being killed by a police officer. In 2015, the pervasive racial profiling and routine brutality exercised by police departments across the country became more visible than ever. In the face of this astonishing violence, the demand for police reform and accountability is at an all-time high.

The ACLU has a long history of fighting police misconduct. From our landmark 1952 case *Rochin v. California*—establishing that police brutality which “shocks the conscience” violates due process—to our current advocacy against the targeted surveillance of Black Lives Matter activists, we are more active than ever in demanding critical and long-overdue reform.

In California, our heightened presence in Sacramento has pushed California to the forefront of the movement to demand police accountability and end racial profiling. Working with a coalition of community- and faith-based groups, we sponsored and passed AB 953, the Racial and Identity Profiling Act. The law requires all law enforcement agencies to report data on people who are stopped and searched, including pedestrian and vehicle stops. We are closely monitoring the law’s implementation and the reporting data in order to hold police accountable.

Last year, ACLU-sponsored legislation gave California the nation’s strongest racial and identity profiling law.

THEN & NOW



PHOTO BY REBECCA FARMER

The New Jim Crow author *Michelle Alexander* (top) in 2001, then an ACLU-NC staff attorney, fighting to end racial profiling by law enforcement.

Travis Hall (above) in 2015, a Black 23-year-old and recent college graduate and ACLU client who was unlawfully detained, arrested, and beaten by SFPD officers.

REPRODUCTIVE JUSTI

California is our nation's reproductive justice leader. Our recent wins—from expanding access to abortion to ensuring high quality sex education for students—have kept our state at the forefront.

But California is not immune from a primary barrier to reproductive health care access today: the denial of care based on invocation of religion. Rebecca Chamorro faced this challenge when the hospital where she gave birth refused to provide basic reproductive care—a decision based not Rebecca's healthcare needs, but on the religious directives of the U.S. Conference of Catholic Bishops.

That's why we're suing Dignity Health, the largest hospital network in California. Dignity Health facilities are licensed as general acute care hospitals and receive enormous amounts of taxpayer funds, but they routinely deny access to basic reproductive healthcare based on religious doctrine. Freedom of religion is an important constitutional right. But religious liberty means the right to exercise your beliefs – not the right to impose those beliefs on others.

Our lawsuit on behalf of Rebecca and Physicians for Reproductive Health argues that withholding pregnancy-related care for reasons other than medical considerations is illegal in our state. **California is the national leader in access to reproductive healthcare, and we're fighting to keep it that way.**



Sexual Health Roundtable



“I made a decision with my family and my doctor, and no one else should be involved in that process.”

–Plaintiff Rachel Miller, who was denied care by a Catholic-affiliated hospital



SCHOOLS & EDUCATION EQUITY

Every student deserves equal access to high-quality public education, free from discrimination. With your support, we're working to create healthier school climates by ending the use of harsh, exclusionary discipline practices that disproportionately target students of color. We're fighting to stop the criminalization of marginalized youth by limiting the role and presence of police on campuses across the state. **And we're demanding respect for every student's right to free expression—whether it's their first day of school or their graduation ceremony.**

Last year, we represented Christian Titman, a Native American student and senior at Clovis High School. Christian repeatedly asked that he be allowed to wear an eagle feather—a religious symbol honoring his heritage and his family—at his graduation ceremony. Even after we sent a formal letter on his behalf, the Clovis Unified School District denied Christian's request. We filed an emergency lawsuit that was quickly settled; Christian was allowed to wear his feather, and the district must now find better ways to respond to similar requests in the future.

Christian's case garnered around-the-clock media coverage in the Central Valley, helping other students—and people from diverse racial, ethnic, and religious backgrounds—understand that they have rights, and that they can call the ACLU.

"The eagle feather represents Christian's academic achievement and has important cultural and religious significance."

–ACLU staff attorney Novella Coleman

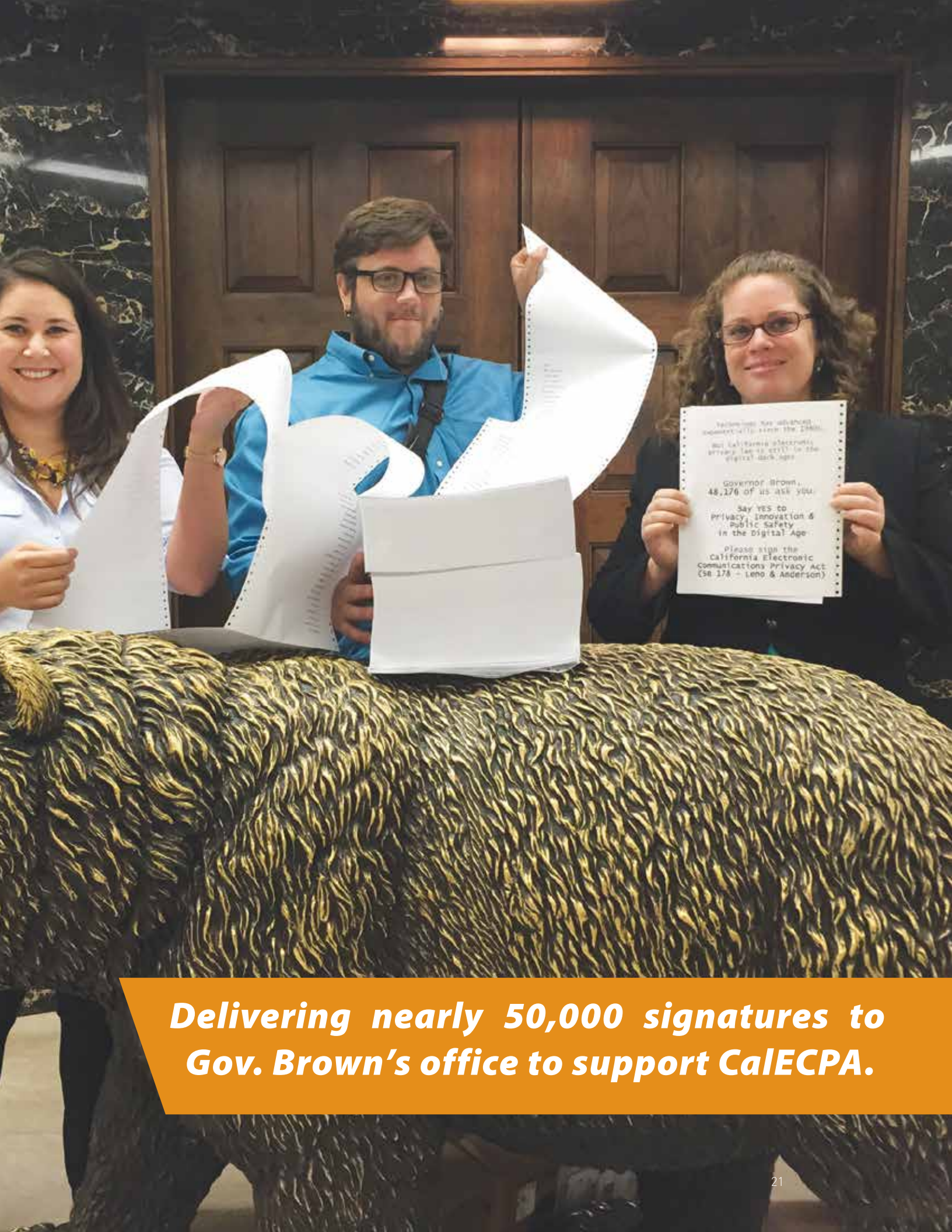
TECHNOLOGY & SURVEILLANCE

California is the center of global technology innovation. At the ACLU-NC, we have long understood that revolutionary advances in technology can and must coexist with our most fundamental civil rights and liberties. For the last decade, the ACLU-NC Technology and Civil Liberties Project has worked tirelessly to protect privacy and free expression in an age of new technology. We forged a coalition of grassroots organizations, thought leaders, and tech companies to confront unprecedented government surveillance. **Now, California has the strongest digital privacy law in the nation.**

The passage of the ACLU-NC-sponsored California Electronic Communications Privacy Act (CalECPA) means that the government must now get a warrant to search our phones or access digital information about who we are, where we go, who we know, and what we do – from emails and text messages to location data and cloud docs. It requires that individuals be notified if their information is demanded. And it gives individuals and service providers a real opportunity to push back against illegal or overbroad demands.

This win matters for the rest of the nation, too. California's influence extends beyond cutting-edge technology, and into cutting edge policy—a fitting victory to commemorate the 10th anniversary of the Technology and Civil Liberties Project.





Delivering nearly 50,000 signatures to Gov. Brown's office to support CalECPA.

VOTING RIGHTS

The right to vote is a fundamental part of our democracy—and that right is under attack. Across the nation, voter suppression laws targeting people of color, young people, and the elderly have become more frequent than at any time since the Civil Rights Movement. From Texas to Wisconsin, the ACLU is fighting to strike down this wave of discriminatory voter ID laws. Last year, we protected and expanded voting rights for tens of thousands of previously disenfranchised Californians.

Our state may not have been hit by this recent surge in new voter ID requirements, but some eligible voters in California still face challenges when trying to exercise their basic rights. Our case, *Scott v. Bowen*, challenged the California Secretary of State's directive to bar otherwise-eligible Californians from voting even after they've been released from prison. This victory restored voting rights for nearly 60,000 Californians.

The passage of ACLU-NC-sponsored SB 589 created new protections for more than 50,000 Californians living with disabilities to ensure they do not have their voting rights unfairly taken away. SB 589 is now a national model for both voting rights and disability rights policy.

You can count on us to keep fighting until every citizen is able to vote.

ACLU-sponsored SB 589 ensured voting protections for more than 50,000 Californians.



**Ree Quiñones & Frankie Odessa Kane Quiñones,
with their kids** (PHOTO BY REBECCA RAUBER)

THANK YOU TO OUR VOLUNTEERS

Cooperating Law Firms

We thank the following firms who donated services during 2015. Your hard work and commitment are deeply appreciated by the ACLU community.

Arnold Porter
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Keker & Van Nest LLP
Latham & Watkins, LLP
Morgan, Lewis & Bockius LLP
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Volunteer Attorneys

Thank you to our 2015 volunteer attorneys.

Mishan Wroe
Juliana Yee

Volunteers

Thank you to our 2015 volunteers.

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Interns and Fellows

Thank you to students and recent law graduates who worked with us in 2015.

LAW AND POLICY FELLOWSHIP PROGRAM

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Liz Toledo
Cameron Vanderwall
Katie Warren

FIELD FELLOWS

Siya Bahal
Aditya Kaushik

DEVELOPMENT & FINANCIAL REPORT

The majority of funding for the ACLU and ACLU Foundation comes from individuals like you. The ACLU receives no government funding and never charges its clients for legal representation. Its effectiveness and impact depend entirely on private donations, foundation grants, court-awarded legal fees from successful cases, bequests, and membership dues from individuals who are dedicated to preserving the fundamental liberties written in the Constitution and its Bill of Rights.

The ACLU and the ACLU Foundation are separately incorporated nonprofit organizations operating in Northern California. The ACLU Foundation conducts litigation and public education programs in support of civil liberties. The Foundation is a 501(c)3 organization, so contributions to it are tax-deductible to the extent allowed by law. The ACLU conducts membership outreach and organizing, as well as legislative advocacy and lobbying. It is supported primarily by membership dues. It is a 501(c)4 organization, which means that donations to it are not tax-deductible.

Fundraising Campaigns and Volunteers

Individual contributions to the ACLU and the ACLU Foundation provide the resources necessary for a vigorous defense of liberty and justice. Founded on the firm belief that one-on-one conversations are the most efficient and friendly way to raise funds, our fundraising activities allow us to maintain strong ties with our supporters and remain informed about their civil liberties concerns.

Joint Fundraising and Sharing

All gifts and membership dues are shared between the national ACLU and the ACLU of Northern California. A portion of national ACLU's share is allocated to help smaller affiliate offices around the country that otherwise would be unable to address the serious civil liberties needs in their states.

Ways of Giving

You can help support the work of the ACLU or ACLU Foundation in any of these ways:

CASH OR CREDIT CARDS: The organization is grateful to accept your donation, or your monthly, quarterly or annual pledge via cash, check or credit card (Visa, Discover, Mastercard or American Express) at any time. Gifts may be made via mail or online at www.aclunc.org.

WORKPLACE GIVING/PAYROLL DEDUCTION: You may choose to designate the ACLU Foundation through your workplace giving campaign or via United Way Donor Option.

GIFTS OF STOCK OR SECURITIES: Making a gift of appreciated stock, securities or mutual fund shares can be very advantageous from a tax point of view. Call the Development Department for information for the easiest ways to make stock gifts.

INSURANCE AND RETIREMENT ACCOUNTS: You may designate the ACLU or ACLU Foundation as beneficiary of your life insurance policy, IRA, retirement plan or pension.

BEQUESTS: In your will or revocable living trust, you may designate the ACLU or ACLU Foundation as beneficiary of part or all of your estate.

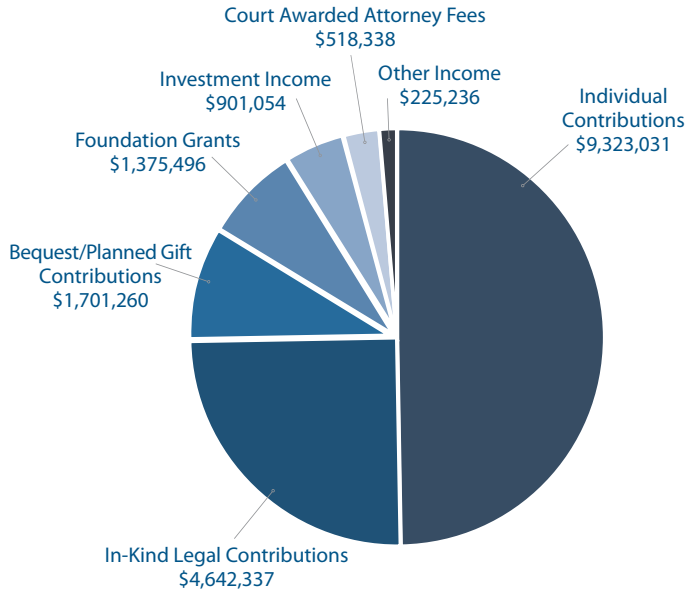
GIFT ANNUITIES: You may use cash or securities to make a gift to the ACLU Foundation and receive fixed annual payments (a portion of which can be tax-exempt) for life, and a substantial tax deduction.

CHARITABLE TRUSTS: You can establish a charitable trust which benefits the ACLU Foundation while providing tax advantages and a variety of financial planning options for you and your family.

For more information on ways to support the ACLU, contact Director of Development Cheri Bryant (415) 621-2493 or at cbryant@aclunc.org.

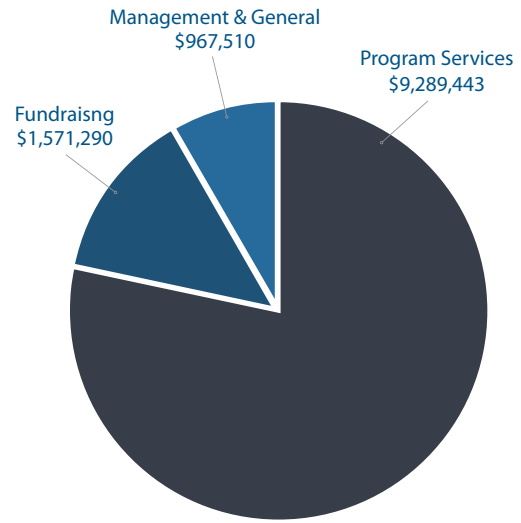
ACLU FOUNDATION OF NORTHERN CALIFORNIA **OPERATING INCOME & EXPENSES 2014-15**

SUPPORT & REVENUE



TOTAL \$11,828,243

EXPENSES

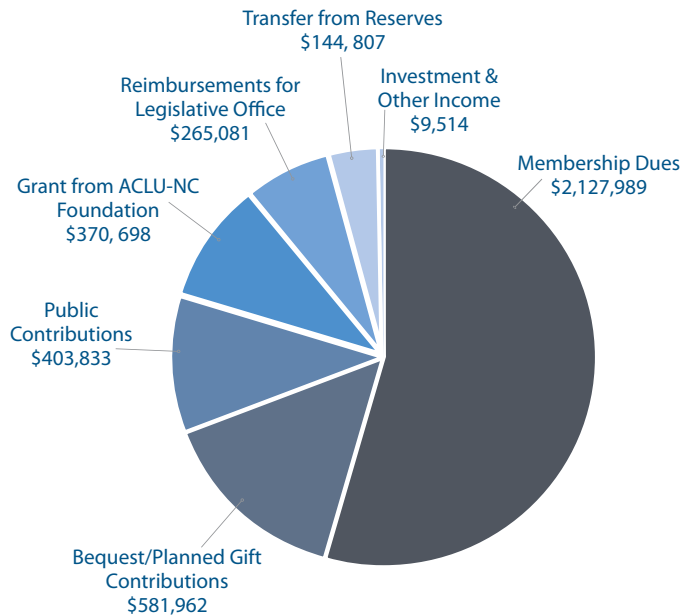


TOTAL \$11,828,243

In order to illustrate comparative percentages, these figures exclude a transfer to reserves for future use of \$3,144,176 and funds shared with the National ACLU of \$3,714,333 to support our programmatic partnership.

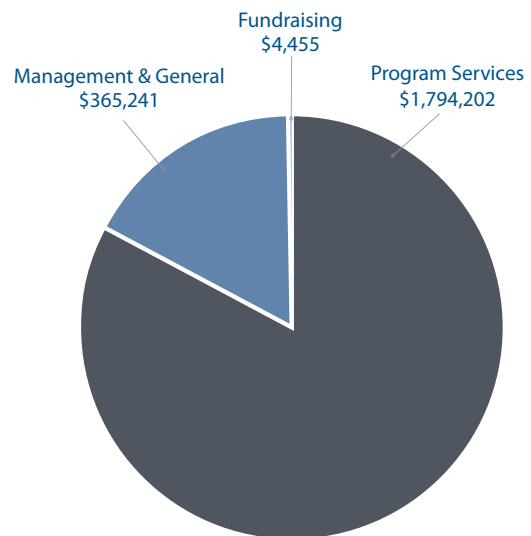
ACLU OF NORTHERN CALIFORNIA **OPERATING INCOME & EXPENSES 2014-15**

SUPPORT & REVENUE



TOTAL \$2,163,898

EXPENSES



TOTAL \$2,163,898

In order to illustrate comparative percentages, these figures exclude \$1,739,986 of funds shared with the National ACLU to support our programmatic partnership.



OUR STAFF

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PHOTO BY ROB INGLIS

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